

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

-vs-

3: 18-CR-097  
(Judge Mariani)

ROSS ROGGIO,  
Defendant

**MOTION FOR AN EXTENSION OF TIME TO FILE RESPONSE TO  
DEFENDANT'S PRETRIAL MOTIONS *NUNC PRO TUNC***

NOW COMES, Todd K. Hinkley, Assistant United States Attorney for the Middle District of Pennsylvania, and moves this Court for an extension of time to file a response to defendant's pretrial motions *nunc pro tunc*. In support of this motion, the following is submitted:

1. On March 20, 2018, an Indictment was filed, charging the defendant with violations of 18 U.S.C. § 371 and 22 U.S.C. § 2778.
2. On March 29, 2019, the former counsel for the defendant, Leo Latella, Esq., filed several pretrial Motions and a Brief in Support. The government's response was due on or before April 12, 2019.
3. On April 3, 2019, this Court granted Leo Latella's motion to withdraw from this case and Gino A. Bartolai, Esq. was appointed to

represent the defendant.

4. Since Mr. Bartolai was recently appointed, he indicated to government counsel that he is reviewing this case with the possibility of filing additional pretrial motions.

5. The government needs additional time to respond to the issues raised in the defendant's motions filed on March 29, 2019.

6. Based upon the above, it is respectfully submitted that the ends of justice will be served by the extension and excluding from the Speedy Trial clock a period of thirty (30) from the date of the attached Order. The parties concede that the adjournment for the stated reason outweighs the interest of the public and the defendant in a speedy trial.

7. Counsel for the defendant, Gino A. Bartolai, concurs in this motion.

Respectfully submitted,  
DAVID J. FREED  
United States Attorney

Date: April 18, 2019

/s/ Todd K. Hinkley  
Todd K. Hinkley  
Assistant United States Attorney  
PA 41294  
Office of the U.S. Attorney  
Suite 311, 235 North Washington Ave.  
Scranton, PA 18501

**CERTIFICATE OF CONCURRENCE**

I, Todd K. Hinkley, certify that counsel for the defendant, Gino A. Bartolai, Esq., concurs in this motion.

/s/ Todd K. Hinkley

---

Todd K. Hinkley  
Assistant United States Attorney

Date: April 18, 2019

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on April 18, 2019, she served a copy of the attached:

**MOTION FOR AN EXTENSION OF TIME TO FILE RESPONSE TO  
DEFENDANT'S PRETRIAL MOTIONS NUNC PRO TUNC**

by ECF:

Gino A. Bartolai, Esq.

/s/Luann Manning

---

LUANN MANNING  
Supervisory Legal Assistant